



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/488,653	01/20/2000	Jun Tanaka	JA998-227	4753

7590

05/25/2005

Anne Vachon Dougherty
3173 Cedar Road
Yorktown Heights, NY 10598

EXAMINER

BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
----------	--------------

2134

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/488,653	Applicant(s) TANAKA ET AL.	
	Examiner Christopher J. Brown	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-12, 21-25 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11 and 21-25, 28-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

h

DETAILED ACTION

Response to Amendment

1. Applicant's arguments filed 3/15/2005 have been fully considered but they are not persuasive.

In response to the applicant's argument that Isikoff does not provide for the legitimate removal of a security device by use of a password, the examiner points to Isikoff Col 4 lines 45-55. Isikoff teaches entering a password to provide for the authorized removal of a PCMCIA security device that is coupled to an antenna. The claims of the application do not state removal of an antenna, but removal of an "antenna security device". Isikoff in combination with Kunert provides for a security device as a PCMCIA card, with an antenna located in the card.

With regards to storing data indicating that the removal of security device was authorized, the examiner must point to the statement from Isikoff that "access control software which informs the computer through password verification that an authorized person is removing or upgrading the beacon". This authorization information must be stored on the device, or every time the removal was sensed the computer would automatically lock down the CPU. Furthermore the computer must have stored information that the security device is installed in the first place, or it would not know to check if it was installed later.

In response to the claim that the security device cannot store data without the computer powering on, the examiner points to Isikoff Col 9 lines 15-20 which states that the beacon/security device “contains its own back up battery to operate when power to the main computer is removed”

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 6-11, 21-25, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isikoff US 5,748,084 in view of Elledge US 6,609,656 in view of Kunert US 5,682,299

As per claims 1, 6, Isikoff discloses a security method to prohibit access to a computer when a security device (beacon/PCMLA Card) has been removed from said computer, (Col 4 lines 45-49). Isikoff discloses storing data in a first storage means (firmware) in which only authorized users are able to change (Col 4 lines 45-50). Isikoff discloses dynamically determining if the security device (beacon) is removed or altered on said computer, and if so, prohibiting access, (Col 4 lines 50-53).

Art Unit: 2134

Isikoff does not teach an RFID.

Elledge teaches using an RFID tag in a laptop, (Col 7 lines 12-21, Fig 4).

It would have been obvious to one of ordinary skill in the art to add the RFID tag to the laptop of Isikoff because the tag helps to recover the stolen laptop, (Col 1 line 20-25).

Kunert teaches that a PCMCIA card has an RF transponder in it (Col 1 lines 26-36).

It would have been obvious to combine the PCMCIA card of Kunert with the beacon of Isikoff because the card of Kunert reduces electromagnetic interference, (Col 3 lines 20-25).

As per claim 2, Isikoff teaches that prohibiting computer use is caused by a trigger event (removing beacon), (Col 4 lines 50-53)

As per claims 3, and 4 Isikoff discloses password authorization to determine whether access to the computer should be prohibited, (Col 4 lines 52-55). Although not explicitly stated, data must be recorded or the computer would automatically think that the beacon had been stolen.

As per claims 8, 11, 21 and 30 Isikoff teaches determining whether the removal of the security device was authorized, (Col 4 lines 50-55). Although not explicitly stated, data must be recorded or the computer would automatically think that the beacon had been stolen.

As per claims 7, 9 and 10, Isikoff discloses a security method to prohibit access to a computer when a security device (beacon/PCMCIA Card) has been removed from said computer, (Col 4 lines 45-49). Isikoff discloses storing data in a first storage means (firmware) in which only authorized users are able to change (Col 4 lines 45-50). Isikoff discloses dynamically determining if the security device (beacon) is removed or altered on said computer, and if so, prohibiting access, (Col 4 lines 50-53). Isikoff teaches a battery backup to the security beacon, (Col 9 lines 15-17). Isikoff teaches storage means to store a program for security functions, (Col 6 lines 25-30).

Isikoff does not teach an RFID.

Elledge teaches using an RFID tag in a laptop, (Col 7 lines 12-21, Fig 4). Elledge teaches that the RFID tag (RIC) has memory to store data, and a battery to stay powered even when the power to the computer is off (Col 4 lines 55-65).

It would have been obvious to one of ordinary skill in the art to add the RFID tag to the laptop of Isikoff because the tag helps a user to recover a stolen laptop, (Col 1 line 20-25).

Kunert teaches that a PCMCIA card has an RF transponder in it (Col 1 lines 26-36).

It would have been obvious to combine the PCMCIA card of Kunert with the beacon of Isikoff because the card of Kunert reduces electromagnetic interference, (Col 3 lines 20-25).

As per claims 28 and 29 Isikoff discloses that remote actions may be made using RF signals, (Col 9 lines 59-64).

As per claims 22-25, Kunert teaches that the RF antenna is attached to the PCMCIA card that resides in the PCMCIA bay, (Col 1 lines 26-36).

Allowable Subject Matter

3. Claim 12 is allowable over the current art of record.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

Art Unit: 2134

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

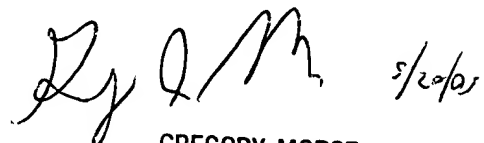
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher J. Brown whose telephone number is (571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571)272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher J. Brown

12/9/04



GREGORY MORSE
ADVISORY PATENT EXAMINER
BIOLOGY CENTER 2100